

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 2666 (JNE/FLN)

This Document Relates to
ALL ACTIONS

**[PROPOSED] ORDER ON MOTION
FOR FURTHER CONSIDERATION
OF ORDER ON JOINT MOTION
REGARDING CONTINUED
SEALING**

This matter is before the Court pursuant to Defendants' Motion for Further Consideration of Order On Joint Motion Regarding Continued Sealing under L. R. D. Minn. 5.6.

The Court, having considered the Motion, the arguments of counsel, and the files, records, and proceedings herein states that:

IT IS HEREBY ORDERED that Defendants' Motion for Further Consideration of Order on Joint Motion Regarding Continued Sealing is GRANTED.

IT IS FURTHER ORDERED that Plaintiffs shall redact and file Plaintiffs' Proposed Second Amended Master Long Form Complaint (ECF No. 308) and Memorandum in Support of the Motion for Leave to Amend (ECF No. 311) in accordance with the following chart:

ECF No.	Description	Quoted or described in Plaintiffs' proposed Master Complaint	Quoted or described in Plaintiffs' Memorandum
316	Plaintiffs' Exhibit A (Report of Yadin David): Refers to/summarizes other documents that are confidential, under seal, or not part of the record	N/A	Page 11, beginning at "As explained by Dr. Yadin David" and continuing onto page 12 through "per minute of the Model 505." Page 13, beginning at "In this case, the Defendant[s]" and continuing through the sentence ending "those devices well."
329	Plaintiffs' Exhibit 12 (3MBH01031246): Notes of an internal Arizant meeting to discuss regulatory issues relating to the Bair Paws and Polar Air products.	Paragraph 215	Page 12, beginning at the last sentence on page 12 starting "In the email, Defendants' Director" and continuing onto page 13 through the first sentence ending "is necessary."
337	Plaintiffs' Exhibit 21 (3MBH0022625): Notes of an internal Arizant meeting to discuss regulatory issues relating to the Bair Paws and Polar Air products. Neither product is at issue in this litigation.	Paragraphs 226-227, 229, 231-233	Page 16, beginning at "Indeed, in Project" and continuing through "antimicrobial agents" on the same page. Page 16, beginning at "Despite degrading" and continuing onto the top of page 17 through "at the blower outlet"

			Page 18, first full paragraph beginning at “Following these tests”
340	Plaintiffs’ Exhibit 24 (3MBH01617179): 3M document reflecting internal scientific and technical discussions.	Paragraph 234	Page 18, entire paragraph beginning at “Possible design changes began anew”
342	Plaintiffs’ Exhibit 26 (3MBH0054396): Internal 3M email chain discussing ideas for design changes to the Bair Hugger system.	N/A	Page 19, entire paragraph beginning at “At the same time”
343	Plaintiffs’ Exhibit 27 (3MBH00630074): Internal 3M presentation summarizing engineers’ “ideation” (that is, brainstorming) of ideas for potential design changes to the Bair Hugger system.	N/A	Page 19, beginning at “Although none” and continuing through the end of page 22.
344	Plaintiffs’ Exhibit 28 (3MBH01922062): Exchange between 3M engineers and an engineer from 3rd party Pentair; there is a Confidentiality Agreement between 3M and Pentair that prohibits 3M from disclosing the type of information contained in this document.	N/A	Page 23, beginning at “As a result, Dr. Tan” and continuing through the end of the first full paragraph to “current rectangular filter.”

347	Plaintiffs' Exhibit 40 (3MBH00001336): Internal draft of talking points for Arizant sales representatives from 2010.	N/A	Page 29, sentence beginning "After all, Defendants"
377	Plaintiffs' Exhibit 69 (3MBH00053467): notes of 3M employees from a strategic planning discussion.	Paragraph 262	Page 40, beginning at "During a strategy" and continuing through the end of the paragraph to "contamination issues."
382	Plaintiffs' Exhibit 74 (3MBH00005744): Internal Arizant strategic planning document.	Paragraph 265, final sentence only	Page 43, sentence starting "Nonetheless, after repeated"
385	Plaintiffs' Exhibit 77 (3MBH00544754): This document, entitled "Competitive Outline_v1.pptx," reflects internal correspondence among 3M employees relating to strategic planning.	N/A	Page 43, starting at "Yet Defendants immediately" and continuing through the end of that paragraph to "own testing."

Dated: _____, 2017.

United States District Magistrate Judge